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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,216	07/18/2003	Masahiko Muranami	10002577-2	4653

7590 09/14/2005

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EXAMINER

NGUYEN, JENNIFER T

ART UNIT PAPER NUMBER

2674

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/622,216	<b>Applicant(s)</b> MURANAMI, MASAHIKO	
	<b>Examiner</b> Jennifer T. Nguyen	<b>Art Unit</b> 2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/18/03</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Applicant's election without traverse of group 1, claims 1-16 in the reply filed on 7/5/05 is acknowledged.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knee et al. (Patent No. US 5,994,710) in view of Nishikawa et al. Patent No. US 5,579,148).

Regarding claim 1, referring to Figs. 2C and 3, Knee teaches a system, comprising:

a computing device (i.e., computer) including a display and a processor (not shown, col. 3, lines 27-27, col. 12, line 59);

an input device (i.e., scanning mouse 28) communicatively linked to the computing device to operate as both a pointing device and a scanning device, the input device being configured to generate an input to the processor and the processor being configured to translate the input for rendering on the display (col. 10, lines 53-55, col. 13, lines 18-20), the input device comprising:

a first scanning optical system (29) when scanning an image with the input device in a first direction relative to a document page; and

a second scanning optical system (30) when scanning the image with the input device in a second direction relative to the document page, the second direction being different than the first direction (col. 11, lines 17-29).

Knee differs from claim 1 in that he does not specifically teach a first user-selectable switch configured to activate the first scanning system and a second user-selectable switch configured to activate the second scanning system. However, referring to Figs. 7A and 7B, Nishikawa teaches pressing a switch (72) to activate the optical information reader (71) scans in the horizontal direction and pressing a switch (73) to activate the optical information reader (71) scans in the vertical direction (col. 8, line 63 to col. 9, line 7). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the switches as taught by Nishikawa in the system of Knee in order to offer user convenience when scan the image in any direction.

Regarding claims 2 and 9, Knee teaches the pointing device comprises a wireless mouse (col. 10, line 53).

Regarding claims 3 and 10, Knee teaches the pointing device comprises an optical mouse (col. 5, lines 55-65).

Regarding claim 4, Knee teaches an optical sensor (20, 21, Fig. 2C) to sense a direction of movement of the input device, and wherein the optical sensor is configured to be activated when the optical sensor senses a movement of the input device (col. 6, lines 11-45).

Regarding claims 5 and 16, Knee teaches a first optical sensor (32) to sense a first direction of movement of the input device and a second optical sensor (33) to sense a second direction of movement of the input device, and wherein at least one of the first and second

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optical sensors are configured to be activated when a movement of the input device is sensed (Fig. 3, col. 11, line 55 to col. 12, line 22).

Regarding claim 6, referring to Figs. 2C and 3, Knee further teaches

a housing (Fig. 2C);

a pointing component supported by the housing and configured to emulate a computer keyboard input to a computer (col. 10, lines 53-55, col. 13, lines 18-20);

Regarding claim 7, Knee teaches an optical sensor (32, 33) (Fig. 3) and a digital signal processor (44) coupled to the optical sensor, the pointing component configured to sense a direction of movement of the computer mouse (col. 11, lines 55-57, col. 12, lines 34-60).

Regarding claim 8, Knee teaches a memory component (46) mounted in the housing to store an image captured with the scanning component (col. 12, lines 34-60).

Regarding claim 11, Knee teaches a function switch (54) (Fig. 3) supported by the housing, the switch configured to toggle between a first position to activate the pointing component and a second position to activate the scanning component (col. 13, lines 18-20).

Regarding claim 12, Knee teaches multi-functional switches (i.e., a three button mouse) supported by the housing; the switches being operably associated with the pointing component when the function switch is toggled to the first position; and the switches being operably associated with the scanning component when the function switch is toggled to the second position (col. 3, lines 18-63).

Regarding claim 13, Knee teaches the computer mouse is configured to activate scanning software in a computing device when the second position of the function switch is selected to activate the scanning component (col. 11, lines 30-47).

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Regarding claims 14 and 15, Knee teaches an infrared, ultraviolet transmitter mounted in the housing to communicatively link the computer mouse with a computing device (col. 10, lines 53-55).

4. The prior art made of record and not relied upon is considered to pertinent applicant's disclosure.

Hannigan (Patent No. US 6,513,717) teaches integrated cursor control and scanner device.

Norskog (Patent No. US 6,585,158) teaches combined pointing device and bar code scanner.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer T. Nguyen whose telephone number is 571-272-7696.

The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

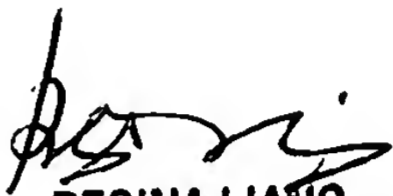
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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Nguyen  
9/9/05



REGINA LIANG  
PRIMARY EXAMINER